

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

T-MOBILE WEST LLC and INDEPENDENT
TOWERS HOLDINGS, LLC,

Plaintiffs,

v.

THE CITY OF MEDINA, WASHINGTON,

Defendant.

No. 2:14-CV-1455-RSL

DECLARATION OF RICHARD
CONROY IN SUPPORT OF
PLAINTIFFS' AND
DEFENDANT'S REPLY IN
SUPPORT OF JOINT MOTION
FOR ENTRY OF STIPULATED
JUDGMENT

1. I am the President of PierCon Solutions, Inc., a New Jersey company specializing in the provision of radio frequency engineering, design and consulting services to the wireless communications industry. A full description of my knowledge and experience is set forth in the Expert Report of Richard Conroy dated May 6, 2015, filed in this matter as part of Document 32 (Thompson Declaration), which report is incorporated in full by reference in this declaration.

2. I have reviewed the Declarations of Mr. DeFeo and Mr. Schennum submitted by Intervenor. In these declarations, Mr. DeFeo and Mr. Schennum identify five locations that they allege are viable alternatives to Fairweather Park as a site for a wireless communications facility to close the significant gap that exists in T-Mobile's coverage in the City of Medina. I note that neither Mr. DeFeo nor Mr. Schennum described having undertaken any radio frequency ("RF") analysis, and neither identifies how tall a structure they believe would be

1 required at the locations to provide the necessary coverage. As I stated in my initial report, to
2 remedy T-Mobile's significant gap in this case would require a facility significantly taller than
3 35 feet anywhere in the vicinity of Fairweather Park. The following provides information
4 regarding the locations identified by Intervenor based on RF factors.

5 3. *Alternative A – "Unforested Areas of Fairweather Nature Preserve".*

6 Alternative A is located nearly 1/4 mile east and downhill from the subject site at Fairweather
7 Park, and is also located away from the coverage gap area. The ground elevation is 34 feet as
8 compared to 132 feet at the Park site. For these reasons alone, this area should not be
9 considered an alternative. Indeed, in designing a site to remedy the significant gap in this case,
10 Alternative A would be outside the "search ring" that I would identify based on RF
11 requirements. Shifting the site further east likewise shifts the coverage in the same direction
12 away from the gap area. As a result, the location of Alternative A combined with the lower
13 ground elevation of approximately 34 feet would require a tower in excess of 180 feet.

14 4. *Alternative B – "Bellevue Christian School Parking Lot".* Alternative B is

15 located nearly 1/4 mile east, south, and downhill from the Fairweather Park site and gap area.
16 As with Alternative A, the move down and to the south and east would place this location
17 outside the search ring; thus, for this reason alone the site should not be considered an
18 alternative. The ground elevation is approximately 80 feet compared to 132 feet at the Park
19 site. Shifting the site further east likewise shifts the coverage in the same direction away from
20 the gap area. As a result, the location of Alternative B combined with the lower ground
21 elevation of approximately 80 feet would require a tower in excess of 150 feet.

22 5. *Alternative C – "Collocation on 'Existing' Bellevue Christian School 'Wireless*

23 *Tower"*. Alternative C is located nearly 1/4 mile east and downhill from the subject Park site
24 and gap area. This site is NOT a wireless tower—it is an installation of existing wireless
25 communications antennas for another carrier on the side of a single story building. As with
26 Alternatives A and B, this location would be outside the appropriate search ring for T-Mobile's
27 significant gap area, and for these reasons alone the site should not be considered an

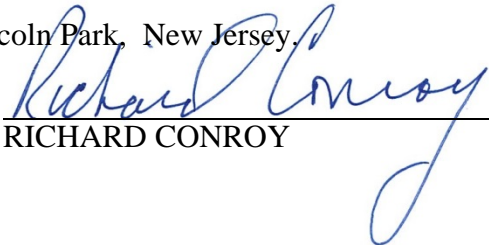
1 alternative. The ground elevation is approximately 110 feet compared to 132 feet at the
2 subject Park site. Shifting the site further east likewise shifts the coverage in the same direction
3 away from the gap area. The rooftop of this building is simply too low to provide effective
4 coverage. A new structure of approximately 150 feet tall would be required at this location.

5 6. *Alternative D – “SR520 Park & Ride Access Road ROW”.* Alternative D is
6 located south and across SR520 from the subject Park site. It is not clear what space is
7 available to install a communication structure at this location. The location is within the gap
8 area and the ground elevation is similar to, but slightly lower than, the subject site. Therefore a
9 structure of approximately 90 to 100 feet tall would be required at this location.

10 7. *Alternative E – WSDOT Property.* Alternative E is west from the subject Park
11 site. It is not clear what space is available to install a communication structure at this location.
12 The location is within the gap area, but the ground elevation is similar to but lower than the
13 subject site. Therefore, a structure of approximately 90 to 100 feet tall would be required at
14 this location.

15 8. I declare under penalty of perjury under 28 U.S.C. § 1746 that the foregoing is
16 true and correct.

17 DATED this 25 day of June, 2015 at Lincoln Park, New Jersey.

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19 RICHARD CONROY
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